IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO.30 OF 2004

Imperial Exim (India)
Pvt.Ltd. ..Petitioner

Vs.

The Sr.Inspector of Police
Anti Narcotics Cell Mumbai
and Ors. ..Respondents

...

Mr.A.P.Mundergi Advocate for Petitioner
Mrs.A.S.Pai A.P.P. for Respondents Nos.1 to 3
Mr.D.N.Salvi P.P. for Respondent No.4

...

CORAM: D.G.DESHPANDE AND
SMT.V.K.TAHILRAMANI,JJ.

DATE : MARCH 20, 2006

P.C.:

1. We have heard Mr.A.P.Mundergi, the learned counsel for the petitioner and Mr.Salvi, the learned counsel for the Respondent No.4. Mr.Mundergi suggested that the matter can be worked out if the Respondent No.4-competent authority gives show-cause Notice under Section 68(h) of the N.D.P.S. Act, 1985 to the petitioner. Thereafter,

the petitioner will give their reply and then the competent authority should decide the matter within a stipulated period. The learned counsel for the Respondent No.4 has agreed to this suggestion. Therefore, we pass the following order:

ORDER

i) This petition is disposed of with direction that the Respondent No.4 to give show-cause Notice to the petitioner within a period of two weeks from today.

ii) Upon receipt of such Notice, the petitioner will give their reply with reference to all the points which are available to them and those which may have been raised in this petition, within a period of two weeks;

iii) Thereafter, after receipt of the said reply, the competent authority to give decision within four weeks thereafter after hearing both the parties.

iv) All points are left open.

v) Writ Petition is disposed of.

[D.G.DESHPANDE, J.]

[SMT.V.K.TAHILRAMANI,J.]